

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re: PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESale PRICE)	MDL No. 1456
LITIGATION)	Civil Action No. 01-12257-PBS
_____)	
)	Subcategory No. 06-11337-PBS
THIS DOCUMENT RELATES TO:)	
)	Hon. Patti B. Saris
<i>United States of America ex rel. Ven-a-Care of</i>)	
<i>the Florida Keys, Inc. v. Abbott Laboratories,</i>)	
<i>Inc., Civil Action No. 06-11337-PBS;</i>)	

**UNITED STATES' NOTICE OF FILING DECLARATION OF MARK LAVINE
SUBMITTING EXHIBITS IN SUPPORT OF UNITED STATES' MEMORANDUM OF
LAW IN SUPPORT OF CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT,
AND IN OPPOSITION TO ABBOTT LABORATORIES INC.'S MOTION FOR
SUMMARY JUDGMENT**

The United States hereby gives notice of the filing of the attached Declaration of Mark Lavine Submitting Exhibits in Support of United States' Memorandum of Law in Support of Cross-motion for Partial Summary Judgment and 56.1 Statement, and in Opposition To Abbott Laboratories Inc.'s Motion for Summary Judgment and 56.1 Statement.

Respectfully submitted,

For the United States of America,

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Dated: July 24, 2009

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused an electronic copy of the above **UNITED STATES' NOTICE OF FILING DECLARATION OF MARK LAVINE SUBMITTING EXHIBITS IN SUPPORT OF UNITED STATES' MEMORANDUM OF LAW IN SUPPORT OF CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT, AND IN OPPOSITION TO ABBOTT LABORATORIES INC.'S MOTION FOR SUMMARY JUDGMENT"** to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Mark Lavine

Dated: July 24, 2009